

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Alexander, III et al.** § Group Art Unit: **2191**
Serial No.: **10/777,909** §
Filed: **February 12, 2004** § Examiner: **Rampuria, Satish**
For: **Method and Apparatus for** §
Removal of Asynchronous Events in § Attorney Docket No.: **AUS920030825US1**
Complex Application Performance §
Analysis §

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action or Final Office Action dated July 22, 2008 finally rejecting claims 1 and 4-8.

A fee of \$540.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Theodore D. Fay/

Theodore D. Fay
Reg. No. 48,504
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants